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A Story of The Carolina Mountains

(BY WALT WIGHTMAN VAN DYKEN)

The court which was to pass upon the question of life or death of Tom Maynard, was soon to convene at Hendersonville. During the time which elapsed however, before the sitting of the court, the faithful wife and mother with other relatives, came often from home to visit the prisoner.

At last the day, or rather the days, of the trial came and the manly prisoner was brought into court by the Sheriff. Conscious of his innocence, Tom Maynard felt that a court of justice fully investigating the charge would vindicate him. The other defendants had not been captured, so he was tried alone. Able counsel analyzed and criticized the evidence; showed that he had gone there to the still house as a peacemaker, and they brought out all the facts likely to aid the young jury in arriving at a just verdict. The sympathetic and kind hearted mountaineers who had known Tom from his boyhood crowded the courtroom to near the trial of one in whose innocence they had every confidence. Those who in boyish sports had climbed the mountainsides with him and as comrades had roved the beautiful valleys of this "land of the sky" could not be induced to think that anything like murder had ever crept into his manly heart. His character had always won for him friends.

Then followed the argument of counsel, the eloquent words of the defense for the youth and innocence followed by the representative of the state, the prosecuting attorney, who with vigor and graphic power pictured the crime and its perpetrators; he emphasized the evidence which showed that Maynard had been apprehended with the smoking pistol in his hand, a ball from which caused the death of the deceased; and then George Redmon's positive evidence that Maynard was there at the time of the killing, seemed to be conclusive. Then came the suspense of the hour during which the jury were deliberating on the verdict.

Finally into the court house, the twelve men came and the eager throng rushed to hear their verdict which should determine the weal or woe of Tom Maynard. A breathless suspense prevailed the packed court room, while the clerk went through the solemn form laid down and followed for ages in taking a jury's verdict. "Do you find the prisoner at the bar guilty or not guilty of the felony where of he stands charged?" slowly and measurably asked the clerk. Guilty of the murder and felony as charged by the bill of indictment" replied the foreman and the doom of the prisoner was fixed it seemed, as far as human aid was concerned.

His case was appealed to the Supreme court, but a new trial was refused. A petition was sent to the Governor for the commutation of his sentence to life imprisonment but to no avail. At the next term of the court the prisoner was re-sentenced and the date for his execution was fixed for Friday June 11th. To Tom Maynard's mind no possible escape from a terrible doom presented itself.

law-abiding man as he always

had been, he could not fully realize the fact that an innocent citizen might suffer the penalty for the guilty.

One day not long after the trial more sad news came to the old home stead announcing the accidental drowning of William and Robert Adalf Endeavoring to evade the officers, who were close upon them, in crossing the Tuckaseegee during a storm and in the night, the boat was capsized and the wayward fugitives went down to their death in the turbulent mountain stream. The next day their bodies were recovered miles below and buried on the banks of the roaring river. The penalty of all their crimes was paid by an unnatural death, and they sleep, forgotten by their fellowman, in the wilds of the mountains, with their grave unmarked by a single stone, unblest by a single flower. The month of June came and was passing; out at the prison window, Tom Maynard saw erected the scaffold on which he was to be executed. The day of the tenth arrived; in the afternoon of that day, many from a distance were coming into town to witness the next day's execution.

Among the number of mountaineers thus early flocking to town to see the hanging there was one who came for a different purpose. She was a young woman some twenty-six years old, attired in the plain, simple homespun garb characteristic of the locality, and with a face which, while it was not of a type to be called beautiful was by no means homely, though it was somewhat hid under the shadow of a sun bonnet. Her form was rounded and stout and she presented an appearance of unusual firmness, intelligence, and self-possession. She asked permission to spend the night with her husband, the prisoner--his last night on earth. The kind-hearted, and sympathetic jailor granted her request. She asked to be allowed her freedom at early dawn, so that she might make the final preparation for the terrible fate of her husband. To this additional request there was no objection on the part of the old jailor, unaccustomed as he was to turning the key on prisoners charged with graver offenses than assault and battery.

Those who are familiar with the laws of the Old North State are cognizant of the fact that the custom of the death watch has never been engrafted into its statute. Hence it was the only espionage that Tom Maynard was subjected to that night was such alone as come from the love-lighted eyes of his devoted and heroic Mary.

As the great north-east began to send up the sky its first streaks of light announcing the breaking day, the venerable jailor, none too soon for his volunteer prisoner, turned the key in the primitive, massive lock and allowed the waiting homespun-clad figure in the old sun bonnet to pass down into the cool sweet air of a mountain morning and away amid the dimly distinguishable objects of the summer dawn.

A stream of the country people pouring into the town from daylight on during the early morning on horse back--sometimes using

Money Talks At Sam's Place Value Your Dollar Enough To Spend It Where It Will Buy The Most

HERE IS A FEW OF THE BARGAINS:

Gas 22 cents a gallon. Laundry Soap 3 1-2 cents a cake. Horseshoe Bend Coffee \$1.10 a bucket. Extra good ground Coffee 25 cents a pound. Morristown flour 85 cents a sack. Gilt Edge flour 95 cents a sack. Best Grade salt bacon 15 cents a pound. 4 pound Bucket Lard 75 cents, 8 pound bucket Lard \$1.50. Sugar \$8.25 a sack. Good Gingham 18 cents a yard. Men's good Overalls \$1.25 a pair. Men's Suits from \$12.50 to \$23.00. Men's Leather work Gloves 75 cents a pair. Good Cain-bottomed Chairs 98 cents each.

We give you a bargain in anything in our store. We will buy anything the farmer has for sale and pay him the best prices, and we carry a complete line of General Merchandise at a bargain. Every dollar you spend with us you get chance on a \$36.00 Bicycle to be given away December 22nd, 1924.

S. R. FREEBORN Walnut, N. C.

double in wagons, carts, buggies on foot-traveling in every conceivable manner they came. With strange fascination does the prospect of the horrible attract the unlettered and unwashed. There back of the court house and in front of the jail stands the grim gallows in its un-painted newness-marring with its terrible suggestiveness the rare sweet beauty of the summer morning, like a discordant note in a great symphony. It is eight o'clock, and the faithful jailor, as his custom is, climbs the stair way with the prisoner's last repast. The heavy bolt thrown out with a clang uncloses the cumbersome door. Approaching the cell, the jailor glances in and is dumb with amazement. Before him, not the doomed man but the convict's handsome helpmeet whose shapely limbs are clad in her husband's home-made clothes--while he in hers is among his native hills and far away.

The curious crowds dispersed and by nightfall the little village settled down to its accustomed tranquility. But round the fire-sides of this mountain people this romantic story still is told and the devotion of this modern highland Mary will live in their traditions. On a dreary winter evening, not many years ago, George Redmon lay dying. He had recognized the grim messenger on the pale horse summoning him to the great assign. In youth he had been an ardent admirer of that

mountain beauty Mary Adalf, and he had caught in her wonderful deep blue eyes, glimpses of an Eden that was destined never to bloom for him. For years he had nursed a hopeless love, until she was wedded to Tom Maynard; and the killing in the still house where he was wounded offered him an opportunity as he thought to wreak his deadly and savage hatred on his successful rival. Now on the border-land between two worlds he felt the twinges of remorse, for in dogged determination he had looked for years his lips in silence on the subject. "I'm in now" he said plaintively. "But I want to say that Tom Maynard wasn't the man that killed old man Jones. I swore the truth at the trial but not all the truth. I knowed he didn't do the shootin' Tom was thar, as I swore, but he come trying to make peace, and grabbed the pistol out of Will's hands ater Will shot. Lord forgive me. And the old contrabandist was gone."

Based on those dying declarations a petition was brought to the Governor asking the pardon of Tom Maynard. It was signed by the judge, the solicitor for the state and the whole of the jury and the pardon was granted. In to his private home in the far west came these things to the fugitive, after all these years. But now aged and gray, with his happy family about him, thrifty

from his tillage of the fertile soil, he preferred to finish his journey there. And in the fulness of the time, so he did. He sleeps one of the many brave pioneers on whose grave falls the evening shadows of the distant mountains. But ere yet he closed his tired eyes for the last time, he looked through his open window and gazing on the great rockies, blue in the dim distance, his thoughts turned again, as often they did, tenderly and sadly back to the clime on sun-painted cliffs and beautiful highlands where he was born. And dwelling on the vicissitudes that come to human life, his mind fixed itself finally on a mount over far seas, whence had been proclaimed that beatitude a benedict for many years to his suffering heart. "Blessed are the Peacemakers."

Mr. J. N. Burnette, Of Hickory, N. C. Will Speak

Mr. J. N. Burnette of Hickory N. C., who under the Baptist State Mission Board, will be on Spring Creek Saturday evening the 20th of this month, and will discuss Sunday School Pedagogy. He will be at Liberty Baptist Church Saturday evening, Lusk Chapel, Sun 10 A. M., at the Flats of Spring Creek, Sunday 2:30, and at the Bluff Church Sunday evening, Mt. Pleasant, High Land and Meadow Fork

Madison County Sunday School Association

Programs are out and plans are being rapidly completed for holding the Madison County School Convention on Saturday and Sunday, October 4 and 5. The convention will be held with White Rock Church; the opening session being held at 7:30 o'clock Saturday night, October 4. It is expected that there will be a good attendance from various parts of the county at this first meeting. Other sessions will be held Sunday Morning, afternoon and night, the convention closing with the Sunday night session.

Officers in charge of plans and program for the convention have announced that the program has been prepared with the idea of having "a convention for the discussion of practical problems." The plan is to make it possible for workers from all departments of the Sunday School to receive practical suggestions concerning their specific work.

During the convention there will be question and discussion periods when those present will be given an opportunity to present their Sunday School problems for discussion, and ask any questions on a Sunday School work.

The convention is inter-denominational, are invited to participate in the work. The Madison County Sunday School Association, under whose direction the convention is being held is one of the seventy eight County Sunday School Associations now organized in the State in connection with the work of the North Carolina Sunday School Association.

West Fork News

The farmers of our community are very busy cutting tobacco.

Our Prayer meeting and Sunday School is moving on nicely at present.

We have just gone through a two-weeks meeting at this place which was a great success.

Mr. R. H. Clark and Mr. H. P. Fisher of Jupiter, N. C., were visiting this place last Sunday.

Mr. and Mrs. E. S. Morgan attended the Decoration at Gantio's Creek last Saturday.

Mrs. Alice Ogle of Kentucky is visiting her old home place near here now.

Miss Edith Fisher who has been very sick for the last two months is still in a serious condition.

Mr. Guy Rice of Asheville was a pleasant caller at the home of Miss Bonada Silvers last Sunday.

Best wishes to News-Record (A Subscriber)

A meeting of the Church of God is now going on in the Island. All are invited to attend.

Preachers in charge are: J. H. HAROLD, M. H. SHELTON and C. D. FINE.

Preaching hours, 2 P. M. and 7:30 P. M.

Churches are especially invited to come. The Public is most cordially urged to hear these matchless addresses. Mr. Burnette is the Sunday School Field worker of Western N. C.